

local authorities, and private organizations and individuals, that a hearing be held;

(3) The complexity of the issue and likelihood that information will be presented at the hearing which will be of assistance to the Agency; and

(4) The extent to which public involvement already has been achieved through other means, such as earlier public hearings, meetings with citizen representatives, and/or written comments on the proposed action.

(b) If public hearings are held, draft Environmental Impact Statements to be discussed should be made available to the public at least fifteen (15) days prior to the time of the public hearings, and a notice will be placed in the FEDERAL REGISTER giving the subject, time and place of the proposed hearings.

[41 FR 26913, June 30, 1976. Redesignated at 45 FR 70249, Oct. 23, 1980]

**§216.9 Bilateral and multilateral studies and concise reviews of environmental issues.**

Notwithstanding anything to the contrary in these procedures, the Administrator may approve the use of either of the following documents as a substitute for an Environmental Assessment (but not a substitute for an Environmental Impact Statement) required under these procedures:

(a) Bilateral or multilateral environmental studies, relevant or related to the proposed action, prepared by the United States and one or more foreign countries or by an international body or organization in which the United States is a member or participant; or

(b) Concise reviews of the environmental issues involved including summary environmental analyses or other appropriate documents.

[45 FR 70249, Oct. 23, 1980]

**§216.10 Records and reports.**

Each Agency Bureau will maintain a current list of activities for which Environmental Assessments and Environmental Impact Statements are being prepared and for which Negative Determinations and Declarations have been made. Copies of final Initial Environmental Examinations, scoping state-

ments, Assessments and Impact Statements will be available to interested Federal agencies upon request. The cognizant Bureau will maintain a permanent file (which may be part of its normal project files) of Environmental Impact Statements, Environmental Assessments, final Initial Environmental Examinations, scoping statements, Determinations and Declarations which will be available to the public under the Freedom of Information Act. Interested persons can obtain information or status reports regarding Environmental Assessments and Environmental Impact Statements through the A.I.D. Environmental Coordinator.

[45 FR 70249, Oct. 23, 1980]

**PART 217—NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

**Subpart A—General Provisions**

Sec.

- 217.1 Purpose.
- 217.2 Application.
- 217.3 Definitions.
- 217.4 Discrimination prohibited.
- 217.5 Assurances required.
- 217.6 Remedial action, voluntary action, and self-evaluation.
- 217.7 Designation of responsible employee and adoption of grievance procedures.
- 217.8 Notice.
- 217.9 Administrative requirements for small recipients.
- 217.10 Effect of state or local law or other requirements and effect of employment opportunities.

**Subpart B—Employment Practices**

- 217.11 Discrimination prohibited.
- 217.12 Reasonable accommodation.
- 217.13 Employment criteria.
- 217.14 Preemployment inquiries.
- 217.15–217.20 [Reserved]

**Subpart C—Accessibility**

- 217.21 Discrimination prohibited.
- 217.22 Existing facilities.
- 217.23 New construction.
- 217.24–217.40 [Reserved]

**Subpart D—Postsecondary Education**

- 217.41 Application of this subpart.
- 217.42 Admissions and recruitment.

## § 217.1

- 217.43 Treatment of students; general.
- 217.44 Academic adjustments.
- 217.45 Housing.
- 217.46 Financial and employment assistance to students.
- 217.47 Nonacademic services.
- 217.48–217.60 [Reserved]

### Subpart E—Procedures

- 217.61 Procedures.
- 217.62–217.99 [Reserved]

#### APPENDIX A TO PART 217—FEDERAL FINANCIAL ASSISTANCE TO WHICH THESE REGULATIONS APPLY

AUTHORITY: 29 U.S.C. 794, unless otherwise noted.

SOURCE: 45 FR 66415, Oct. 6, 1980, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 217 appear at 68 FR 51362, Aug. 26, 2003.

### Subpart A—General Provisions

#### § 217.1 Purpose.

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity within the United States receiving Federal financial assistance.

#### § 217.2 Application.

This part applies to all programs or activities carried on within the United States by recipients of Federal financial assistance pursuant to any authority held or delegated by the Administrator of the Agency for International Development, including the types of Federal financial assistance listed in appendix A of this part. (appendix A may be revised from time to time by notice in the FEDERAL REGISTER). It applies to money paid, property transferred, or other Federal financial assistance extended after the effective date of this regulation, even if the application for such assistance is approved prior to such effective date. This part does not apply to (a) any Federal financial assistance by way of insurance or guaranty contracts, (b) money paid, property transferred or other assistance extended before the effective date of this part, (c) any assistance to any individual who is the ultimate beneficiary, and (d) any procurement of goods or services, including

## 22 CFR Ch. II (4–1–06 Edition)

the procurement of training. This part does not bar selection and treatment reasonably related to the foreign assistance objective or such other authorized purpose as the Federal assistance may have. It does not bar selections which are limited to particular groups where the purpose of the Federal financial assistance calls for such a limitation nor does it bar special treatment including special courses of training, orientation or counseling consistent with such purpose.

#### § 217.3 Definitions.

As used in this part, the term:

(a) *The Act* means the Rehabilitation Act of 1973, Pub. L. 93–112, as amended by the Rehabilitation Comprehensive Services and Developmental Disabilities Amendments of 1979, Pub. L. 95–602.

(b) *Section 504* means section 504 of the Act.

(c) *Agency* means the Agency for International Development.

(d) The term *Administrator* means the Administrator of the Agency for International Development or any person specifically designated by him to perform any function provided for under this part.

(e) *Recipient* means any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance and any sovereign foreign government.

(f) *Applicant for assistance* means one who submits an application, request, or plan required to be approved by an Agency official or by a recipient as a condition to becoming a recipient.

(g) *Federal financial assistance* means any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Agency provides or otherwise makes available assistance in the form of:

- (1) Funds;
- (2) Services of Federal personnel; or